

COMMITTEE ON FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Jack H. Schurlknight, Council Member District No. 6

A **meeting** of the **Committee on Finance**, Standing Committee of Berkeley County Council, was held on Monday, **June 25, 2012**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:21 p.m.

PRESENT: Chairman Jack H. Schurlknight, Council District No. 6; Committee Member Robert O. Call, Jr., Council District No. 3; Committee Member Cathy S. Davis, Council District No. 4; Committee Member Caldwell Pinckney, Jr., Council District No. 7 (via Skype videoconferencing); Committee Member Steve C. Davis, Council District No. 8; ex-officios: Mr. Daniel W. Davis, County Supervisor, Mr. Phillip Farley, Council District No. 1, and Mr. Timothy J. Callanan, Council District No. 2, and Mr. Dennis L. Fish, Council District No. 5; Ms. Nicole Scott Ewing, County Attorney; and Ms. Catherine Windham, County Council Office.

Chairman Schurlknight: "I'd like to call the Finance Meeting to order. Ms. Clerk, has this meeting been properly noticed by the South Carolina Freedom of Information Act?"

Ms. Windham: "Yes, Sir, it has."

Chairman Schurlknight: "Thank you ma'am."

APPROVAL OF MINUTES

Chairman Schurlknight: "First on the agenda is approval of minutes from May 29, 2012. Do I have a motion?"

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** the minutes as presented. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Also, I would like the record to show that Councilman Pinckney is joining us by Skype tonight, and he is participating from that. The Berkeley County Water and Sanitation – Colin, I think, we have some presentations tonight for some of the students, and if you'd like to go ahead and do that, we can go ahead and get them up here."

Mr. Colin Martin, Berkeley County Water and Sanitation Executive Director: "Thank you, Mr. Chairman; good evening. It's my pleasure as the Director of Berkeley County Water and Sanitation to announce the young winners of our second annual

'Drinking Water Week' Poster Contest. And, these young artists have given us great examples of ideas, great examples of their artwork. There were over 100 submissions and only a few selected. There are three categories in which the winners were chosen, Kindergarten through Second Grade, Third through Fifth Grade, and Sixth through Eighth Grade. And, the winners will win prizes. Third place is \$50.00; second place, \$75.00; first place, \$100.00, and I am pleased to report that there will be photographs, and they'll be published in the Berkeley Independent. They get their picture taken, and better yet, get to shake hands with the County Supervisor. So, beginning with the K through Second Grade winners, we'd like you to come up, and pick up your poster, and come over here, and you'll have your picture taken as a group. Isabelle Matkovich, she wins first place from Berkeley Elementary. Second place is Kaylee Blackburn from College Park Elementary. And, third place is Isabel Canales, from College Park Elementary. Isabel was unable to join us this evening. We're actually taking these posters back from these children, because they will be entered into a national contest sponsored by the American Water Works Association. Our Third through Fifth Grade winners, we'll begin this time with third place, Richard Braecklein; Dakota Cohen for second place for \$75.00. Dakota is from Whitesville Elementary. And, the winner, the \$100.00 first place winner from Grades Three through Five from Bonner Elementary, John Headden. And, our final group, Grades Sixth through Eighth, third place in the contest is Tilya Bell, and second place with \$75.00, both from Macedonia Middle School, Viktoria Bell. I think, we see a sister team, do we not? And, first place, again from Macedonia Middle School, Destiny Mills. Congratulations to all these young artists, but also, there are people that helped them, I'm sure, and encouraged them, the parents and teachers. If there's any parents and teachers here, would you please stand? Thank you very much."

Chairman Schurlknight: "Thank you, Colin, and also, congratulations to all the students and the young artists out there."

A. Chuck Cheers, General Manager, Sangaree Special Tax District, Re: Request to Renew Sangaree Office Lease

Mr. Cheers: "Mr. Chairman, Sangaree uses an office lease that expires on June 30th. There will be no additional charges for the renewed lease, and the lease amount has been included in the proposed budget."

It was moved by Committee Member Cathy Davis and seconded by Committee Member Steve Davis to **approve** the request for renewal of the Sangaree Special Tax District Office Lease. The motion passed by unanimous voice vote of the Committee.

B. Ashley Pennington, Ninth Circuit Public Defender, Re: Additional Funding for Magistrate's Lawyer

Mr. Pennington: "Mr. Chairman and Members of the Council, I'll be brief. This year, we submitted a sizable request to address matters that were mostly General Sessions matters, and we didn't have funds to cover that this year, which we understand. But, in

the last quarter of this fiscal year, I was advised that our attorney, who part-time, serves the citizens of Berkeley County who are charged in the Magistrate's Court, essentially, was losing money and was going to, essentially, terminate his involvement, indicating that the \$19,000.00 that he received per year was, essentially, costing him money. The Magistrate's Court is the place where more citizens than others are charged with a variety of offenses, and those courts cannot operate unless there's an available indigent defender, a public defender, available for the indigent citizens that cannot afford counsel. This is where you would find, typically, DUI's, criminal domestic violence, shoplifting or other theft offenses. And so, it's a court of first impression, but none the less, an important court. Our proposal is this. I have found that there is a lawyer that's interested in taking on the same exact amount of work. In fact, it's been an increasing amount of work, about 200 cases per year, for what would be an increase of \$5,000.00, so that the annual rate, with no benefits, would go from \$19,000.00 to \$24,000.00 per year. To give you an idea of what that translates to, we're paying about 25 cents on the dollar in terms of the value, the market value of these cases, are roughly between \$95.00 and \$120.00 per case. So, it's a good deal for the County from the standpoint of what the cost of this work is, and it will allow the Magistrate's Court to continue to operate effective July 1st."

Committee Member Steve Davis: "I move for approval that it come out of Contingency Fund."

Chairman Schurlknight: "We have a motion; do we have a second?"

Committee Member Pinckney: "Second."

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** additional funding, in the amount of \$5,000.00, for the Magistrate's Court attorney, with funds to come from Contingency, and thereby, increasing the annual rate for a public defender from \$19,000.00 to \$24,000.00."

Chairman Schurlknight: "Any discussion?"

Mr. Callanan: "What was the amount again?"

Mr. Pennington: "It's an increase of \$5,000.00."

Mr. Callanan: "Ok; thank you."

Chairman Schurlknight: "Any other discussion?"

The motion passed by unanimous voice vote of the Committee.

Mr. Pennington: "Thank you very much."

Chairman Schurlknight: "Thank you, Mr. Pennington."

C. Review prior to Third Reading of the following:

1. Bill No. 12-08, an **ordinance** providing for the fiscal year beginning July 1, 2012 and ending June 30, 2013 for the **Devon Forest Special Tax District Operational Budget**; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

It was moved by Committee Member Steve Davis and seconded by Committee Member Cathy Davis to **approve** consideration, prior to Third Reading, of Bill No. 12-08. The motion passed by unanimous voice vote of the Committee.

2. Bill No. 12-09, an **ordinance** providing for the fiscal year beginning July 1, 2012 and ending June 30, 2013 for the **Pimlico Special Tax District Operational Budget**; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

It was moved by Committee Member Steve Davis and seconded by Committee Member Cathy Davis to **approve** consideration, prior to Third Reading, of Bill No. 12-09. The motion passed by unanimous voice vote of the Committee.

3. Bill No. 12-10, an **ordinance** providing for the fiscal year beginning July 1, 2012 and ending June 30, 2013 for the **Sangaree Special Tax District Operational Budget**; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

It was moved by Committee Member Steve Davis and seconded by Committee Member Call to **approve** consideration, prior to Third Reading, of Bill No. 12-10. The motion passed by unanimous voice vote of the Committee.

4. Bill No. 12-11, an **ordinance** providing for the fiscal year beginning July 1, 2012 and ending June 30, 2013 for the **Tall Pines Special Tax District Operational Budget**; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

It was moved by Committee Member Steve Davis and seconded by Committee Member Cathy Davis to **approve** consideration, prior to Third Reading, of Bill No. 12-11. The motion passed by unanimous voice vote of the Committee.

5. Bill No. 12-12, an **ordinance** providing for the fiscal year beginning July 1, 2012 and ending June 30, 2013 for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** consideration, prior to Third Reading, of Bill No. 12-12. The motion passed by unanimous voice vote of the Committee.

6. Bill No. 12-13, an **ordinance** providing appropriations for the fiscal year beginning July 1, 2012 and ending June 30, 2013 for **Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all County purposes; to provide for the expenditures of said taxes and other revenues coming into the County for the fiscal year; and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for water and sewer and solid waste service by **Berkeley County Water and Sanitation**.

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** consideration, prior to Third Reading, of Bill No. 12-13. The motion passed by majority voice vote of the Committee. Committee Member Cathy Davis voted, "Nay."

7. Bill No. 12-14, an **ordinance** to amend Ordinance No. 11-06-17, adopted June 27, 2011, to provide for **supplemental appropriations** and allocations thereof within the 2011-2012 Budget for Berkeley County; and other matters relating thereto.

Committee Member Steve Davis: "I'm gonna move for approval for discussion."

Chairman Schurlknight: "Can I get a second for that motion?"

Committee Member Call: "Second."

Chairman Schurlknight: "I have a second, ok. Mr. Davis?"

It was moved by Committee Member Steve Davis and seconded by Committee Member Call to **approve** consideration, prior to Third Reading, of Bill No. 12-14.

Committee Member Steve Davis: "Yeah, a – tell me what..."

Ms. Kace Smith, Finance Director and Deputy Supervisor: "This is adjusting the current year budget, the 2011-2012. I had sent out a summary of those adjustments to you all. Would you like me to go through them?"

Committee Member Steve Davis: "Yeah, let the public know about it."

Ms. Smith: "Ok; sure; absolutely; and you all have been given a detail of all these transactions, for all these adjustments. The first adjustment is to adjust for the Sangaree Budget. There were some items that were erroneously left off when the original budget was adopted. The second adjustment is for insurance proceeds and to adjust the corresponding use of those insurance proceeds. The third adjustment is to increase our revenue for reimbursements that have been received for work that was performed by our

Roads and Bridges Department. The fourth adjustment is to budget the carryover funds for the elected officials. The fifth adjustment is to budget the pooled fire fees and corresponding uses of those fees. The sixth adjustment is a miscellaneous adjustment. One of those is to increase revenues for the Voter Registration revenue. After the budget was passed last year, we were informed that the state would be giving us some funds to distribute to the Voter Registration Board. In addition to that, we're transferring some dollars of insurance from one department to another. And, the last adjustment is for the Library. It's to budget some carryover funds related to their grants. And, I failed to mention the dollar amounts, but I can certainly do that at this time. In total, the adjustments to the General Fund will increase revenue by \$965,891.00 and increase expenditures by that same amount. Special Revenue, these adjustments in total increased revenue by \$306,066.00, and increased expenditures by that same amount. And, in the Enterprise Funds, increasing revenue by \$3,959.00 and increasing expenditures by that same amount. In total, the supplemental appropriations increased revenue \$1,275,916.00 and increased expenditures by that same amount."

Committee Member Steve Davis: "Ok; you've got a balance."

Ms. Smith: "Yes, Sir."

Chairman Schurlknight: "Thank you, Kace. Steve, do you have anything else?"

Committee Member Steve Davis: "No; nothing further."

Chairman Schurlknight: "Any other discussion?"

There was no further discussion.

The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "I'd entertain a motion to adjourn."

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **adjourn** the meeting of the Committee on Finance. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 6:36 p.m.

July 23, 2012
Date Approved

FINANCE

(Standing Committee of Berkeley County Council)

Chairman: Mr. Jack H. Schurlknight, District No. 6

Members: Mr. Robert O. Call, Jr., District No. 3
Mrs. Cathy S. Davis, District No. 4
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8

Mr. Phillip Farley, District No. 1, ex officio
Mr. Timothy Callanan, District No. 2, ex officio
Mr. Dennis Fish, District No. 5, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON FINANCE**, Standing Committee of Berkeley County Council will be held on **Monday, June 25, 2012**, at **6:03 p.m.**, in the Assembly Room, 1003 Highway 52, Moncks Corner, South Carolina.

AGENDA

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

APPROVAL OF MINUTES:

May 29, 2012

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney/client privilege, settlement of legal claim, or the position of the County in other adversarial situations involving the assertion against the County of a claim.

- A. **Chuck Cheers, General Manager, Sangaree Special Tax District, Re:** Request to renew Sangaree office lease.
- B. **Ashley Pennington, Ninth Circuit Public Defender. Re: Additional funding for Magistrate's Lawyer.**
- C. **Review prior to Third Reading of the following:**

1. **Bill No. 12-08**, an **ordinance** providing for the fiscal year beginning **July 1, 2012 and ending June 30, 2013** for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.
2. **Bill No. 12-09**, an **ordinance** providing for the fiscal year beginning **July 1, 2012 and ending June 30, 2013** for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.
3. **Bill No. 12-10**, an **ordinance** providing for the fiscal year beginning **July 1, 2012 and ending June 30, 2013** for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.
4. **Bill No. 12-11**, an **ordinance** providing for the fiscal year beginning **July 1, 2012, and ending June 30, 2013**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.
5. **Bill No. 12-12**, an **ordinance** providing for the fiscal year beginning **July 1, 2012, and ending June 30, 2013**, for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.
6. **Bill No. 12-13**, an **ordinance** providing appropriations for the fiscal year beginning **July 1, 2012 and ending June 30, 2013** for **Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all County purposes; to provide for the expenditures of said taxes and other revenues coming into the County for the fiscal year; and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for water and sewer and solid waste service by **Berkeley County Water and Sanitation**.
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June 20, 2012
S/Catherine R. Windham
Interim Clerk to County Council